

United States District Court

WESTERN DISTRICT OF TENNESSEE

UNITED STATES OF AMERICA

V.

Abdulaziz Yusuf

(Name and Address of Defendant)

CRIMINAL COMPLAINT

CASE NUMBER:

04-MJ-0046-V
2:04 CR 20135

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about March 4, 2004 in SHELBY county, in the Western District of Tennessee defendant(s) did, (Track Statutory Language of Offense) import controlled substances

in violation of Title 21 United States Code, Section(s) 952(a)(2)
I further state that I am a(n) Special Agent and that this complaint is based on the following facts:
See attachment.

FILED BY [Signature]
04 MAR -5 PM 1:00
ROBERT R. D. TROUB
CLERK, U.S. DIST. CT.
W.D. OF TN, MEMPHIS

Continued on the attached sheet and made a part hereof:

☒ Yes ☐ No

Blaine C. Cunn

Signature of Complainant

Sworn to before me and subscribed in my presence,

03-05-2004

Date

at

Memphis, Tennessee

City and State

Diane K. Vescovo
U.S. Magistrate Judge

Name & Title of Judicial Officer

s/Diane K. Vescovo

Signature of Judicial Officer

AFFIDAVIT

I, BLAINE C. CRUM, being duly sworn, depose and say:

1. I am a Special Agent of the Department of Homeland Security, Bureau of Immigration & Customs Enforcement (ICE), formerly the United States Customs Service (USCS), and have been so employed for thirteen (13) years.

2. On February 19, 2004, Customs and Border Protection (CBP) Officers at JFK International mail facility examined a package from Ethiopia during an enforcement examination. The package was found to contain a green leafy substance that field-tested positive for khat. The package was shipped from ABDURAHMAN, PO Box 2140, Dire Dawa, Ethiopia to PANGANY, 3283 Given Ave., Memphis, Tennessee. The package was a cardboard box measuring 15 ½ inches long, 9 inches wide, and 6 inches high. The package's seams were wrapped with brown tape and had writing in black permanent marker on the outside.

3. Your affiant checked the Treasury Enforcement Communication System (TECS) databases and discovered other shipments of khat to the same 3283 Given Ave., Memphis, Tennessee address. Beginning on or about August 08, 2003, and continuing to February 19, 2004, eleven shipments of khat have been seized by CBP Officers at JFK and Miami International Airport, Foreign Mail Facilities that were intended for delivery to 3283 Given Ave., Memphis, TN. The seizures made are as follows:

08/08/03	Miami	3283 Given Ave.,	Memphis, TN	15 lbs.
09/09/03	JFK	3283 Given Ave.,	Memphis, TN	868 gr.
09/09/03	JFK	3283 Given Ave.,	Memphis, TN	865 gr.
12/09/03	JFK	3283 Given Ave.,	Memphis, TN	1966 gr
12/22/03	JFK	3283 Given Ave.,	Memphis, TN	8 kg
01/06/04	JFK	3283 Given Ave.,	Memphis, TN	1932 gr.
01/16/04	JFK	3283 Given Ave.,	Memphis, TN	1746 gr.
01/24/04	JFK	3283 Given Ave.,	Memphis, TN	868 gr.
01/26/04	JFK	3283 Given Ave.,	Memphis, TN	885 gr.
02/05/04	JFK	3283 Given Ave.,	Memphis, TN	1898 gr.
02/19/04	JFK	3283 Given Ave.,	Memphis, TN	1840 gr.

4. The package intercepted on February 19, 2004, was forwarded by CBP Officers to the Resident Agent in Charge (RAC) Memphis for a controlled delivery. The suspected khat tested positive for Schedule I narcotics at the Tennessee Bureau of Investigation's laboratory.


5. On March 4, 2004, Agents for the Bureau of Immigration and Customs Enforcement (BICE), accompanied by the state and local officers, and other federal agents, delivered the above-referenced package to 3283 Given, Memphis, Tennessee, also known as "Lucky 7 Food Mart." Following the execution of the search warrant, the owner of the Lucky 7 Food Mart identified as Abdulaziz Yusuf arrived on the scene. Yusuf was transported to the Shelby County Sheriff's Department's Project Safe

Neighborhood Task Force Office. Yusuf was interviewed concerning knowledge of the above-referenced package.

6. Yusuf was interviewed by the Affiant and stated the following:

Yusuf purchased the Lucky 7 Food Mart from Sadek Alomari approximately nine months ago. Yusuf resides in a residence attached to the Lucky 7 Food Mart. Yusuf stated that he was born in Ethiopia and moved to the United States approximately five years ago. Yusuf stated that his family in Ethiopia owns a khat farm and frequently ships khat to him at the 3283 Given address. When questioned about the above-referenced package, Yusuf stated that the name PANGANY is his nickname. Yusuf admitted that he has received approximately twenty shipments of khat at this address.

Yusuf was questioned about the sale of khat in the Memphis area and stated that he has sold various quantities to other individuals. During the search warrant execution, two other boxes containing khat were located in the store with the name PANGANY on the boxes and these boxes were shipped to PANGANY from Ethiopia.


Blaine C. Crum
Special Agent

Subscribed to and sworn before me this 5 th day of March, 2004.


s/Diane K. Vescovo

United States Magistrate Judge